



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|---------------------------------|
| 09/936,548 | 01/17/2002 | Jan Peter Janssen | 1731 | 7095 |
| 7590 | 08/01/2006 | | | |
| Michale J. Striker Striker Striker & Stenby 103 East Neck Road Huntington, NY 11743 | | | | EXAMINER KUMAR, SRILAKSHMI K |
| | | | ART UNIT 2629 | PAPER NUMBER |

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---------------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/936,548 | JANSSEN, JAN PETER | |
| | Examiner Srilakshmi K. Kumar | Art Unit 2629 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 July 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

The following office action is in response to the request reconsideration filed on April 4, 2006.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott et al (US 6,272,562) in view of Scott et al (US 6,263,090) (known hereafter as Scott '090) and further in view of Sims et al (US 6,822,550).

As to independent claim 1, Scott et al disclose a device for information input and/or output (Fig. 1, item 100), wherein the device has a processor (Fig. 2, item 210, col. 4, lines 20) and a display with a touch sensitive layer (Fig. 1, item 108, fingerprint scanner), wherein the display has operator control elements and information fields (Fig. 1), and wherein the device is connected to a communications network by means of a communications module that is connected to the processor (col. 4, lines 18-50); Scott et al discloses recessed mounting in Fig. 1, where item 108 is recessed. Scott et al does not disclose wherein the device is embodied such that the device fits into a frame that is suitable for a surface mounted socket. Scott '090 discloses in Figs. 1 wherein the device is suitable for a surface mount socket. It would have been obvious to one of ordinary skill in the art to incorporate the surface mounting socket as disclosed by Scott '090 into the information input/output device of Scott et al. The motivation to combine Scott et al with Scott '090 would be where in the surface mounting would enable any size input.

Scott et al disclose a commercial off the shelf processor in col. 3, lines 20-30, wherein the processor is well known in the art to be equipped with software which can be programmable to change control elements and information fields as required, therefore, Scott et al disclose wherein the operator control elements and information fields shown by the display are programmable.

Scott et al do not disclose wherein the processor allows a configuration in which the processor offers configuration menus. Sims et al disclose a coin dispenser assembly, which uses an access control apparatus as disclosed by Sims et al in col. 3, lines 14-20. Sims et al disclose in col. 4, lines 47-53, where the processor displays configuration menus. It would have been obvious to incorporate the feature of configuration menus as shown by Sims et al as configuration menus enable user input (col. 4, lines 47-53).

As to dependent claim 2, limitations of claim 1, and further comprising, Scott et al and Scott '090 do not disclose wherein the recessed and surface mounted socket has a minimum internal size of 54 mm and/or a mounting hole spacing of 60 or 60.3 or 83 mm. Since Applicant has failed to disclose wherein the recessed and surface mounted socket has a minimum internal size of 54 mm and/or a mounting hole spacing of 60 or 60.3 or 83 mm provides an advantage, is used for a particular purpose, or solves a stated problem, it is an obvious matter of design choice to have such a size for recessed and surface mounting. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to use any size for the recessed and surface mounting socket and hole spacing, since any size would perform equally well in scanning fingerprints.

As to dependent claim 3, limitations of claim 1, and further comprising, Scott et al and Scott '090 do not disclose wherein the device has a maximum structural height of 12 mm. Since Applicant has failed to disclose wherein the device having a maximum structural height of 12 mm provides an advantage, is used for a particular purpose, or solves a state problem, it is an obvious matter of design choice to have such a structural height. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use any size for the structural height since any size would perform equally well in scanning fingerprints.

As to dependent claim 4, limitations of claim 3, and further comprising, Scott et al does not disclose where a light is placed behind the display and that the light has a plastic film with a diffusion coating and an optical fiber waveguide connection. Scott '090 discloses a fingerprint scanner portion having a housing with an upper surface having the fingerprint scanner plate. The finger is placed on the scanner plate and illuminated by an LED light source of certain spectral characteristics through the lens into the bottom of the prism (Fig. 2, col. 1, line 66-col. 2, lines 50). It would have been obvious to one of ordinary skill in the art to include the light behind the display and where the light has a plastic film with a diffusion coating and an optical fiber waveguide connection as disclosed by Scott '090 into the fingerprint scanner of Scott et al as the device of Scott '090 enables clear and concise image quality.

As to dependent claim 5, limitations of claim 4, and further comprising, Scott et al do not explicitly disclose wherein the display is a liquid crystal display. Examiner takes Official Notice that liquid crystal displays are well known in the art. It would have been obvious to one of ordinary skill in the art to include a liquid crystal display into the device of Scott et al as they produce higher resolution images.

As to dependent claim 6, limitations of claim 1, and further comprising, Scott et al wherein the communications module communicates with the communications network constantly or at intervals (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 7, limitations of claim 1, and further comprising, Scott et al wherein the communications module communicates with the communications network in wireless or hard wired fashion (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 8, limitations of claim 1, and further comprising, Scott et al a time interval between a reprogramming of the operator control elements and information fields is specified (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 9, limitations of claim 8, and further comprising, Scott et al wherein the processor rearranges the operator control elements and information fields shown by the display at predetermined time intervals on the principle of randomness (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 10, limitations of claim 1, and further comprising, Scott et al wherein the processor allows a configuration in which the processor offers respective configuration menus for use in the area of efficiency, physical access control, security technology and building installation practice (col. 8, lines 32-67).

As to dependent claim 11, limitations of claim 1, and further comprising, Scott et al disclose wherein the device has a fingerprint sensor (Fig. 1, item 108).

As to dependent claim 12, limitations of claim 1, and further comprising, Scott et al disclose wherein the device of the invention has a card reader (Fig. 2, daughter card).

Response to Arguments

3. Applicant's arguments filed April 4, 2006 have been fully considered but they are not persuasive.

Applicant argues that the prior art Scott et al do not disclose wherein the control elements and information field are programmable. Examiner, respectfully, disagrees. Scott et al disclose a commercial off the shelf processor in col. 3, lines 20-30, wherein the processor is well known in the art to be equipped with software which can be programmable to change control elements and information fields as required, therefore, Scott et al disclose wherein the operator control elements and information fields shown by the display are programmable.

Applicant further argues, where the prior art Sims et al do not disclose configuration menus. Examiner, respectfully, disagrees. Sims et al disclose in col. 4, lines 47-53 multiple menu configurations. It would have been obvious to incorporate the feature of configuration menus as shown by Sims et al as configuration menus enable user input (col. 4, lines 47-53).

Therefore, the combination of Scott et al in view of Scott '090 and further in view of Sims et al disclose the invention set forth in the application. The action is made FINAL.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2629

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

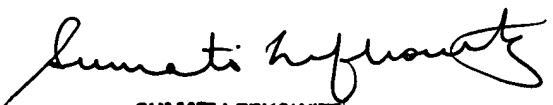
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar
Examiner
Art Unit 2629

SKK
July 21, 2006


SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER